

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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<b>UNITED STATES OF AMERICA,</b>	)	<b>Criminal No.: 08-CR-10338-WGY</b>
	)	
	)	
<b>v.</b>	)	
	)	
<b>DARNELL MARTIN</b>	)	
	)	
<b>Defendant.</b>	)	
	)	

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**JOINT STATUS REPORT**

Further to the Court's March 2, 2010 Order, the parties hereby provide a Joint Status Report concerning the progress of United States v. Stryker Biotech, LLC, et als., 09-10330-GAO (the "Stryker Case"):

1. On September 15, 2010, the parties in the Stryker Case had an Interim Status Conference before Magistrate-Judge Dein. That Interim Status Report is attached hereto. On July 7, 2010, the defendants filed a motion to dismiss Counts 7 through 14 of the indictment (the misbranding counts). The Government submitted its opposition to the motion to dismiss the misbranding counts on August 27, 2010. On September 21, 2010, various permutations of the defendants filed six (6) different motions to dismiss various counts of the Indictment. The Government's oppositions are due on October 12, 2010.

2. On May 25, 2010, Magistrate-Judge Dein denied defendants' discovery motion. Defendants have moved for reconsideration and that motion remains pending.

3. On July 1, 2010, Magistrate-Judge Dein heard argument on defendants' request for a bill of particulars, and on July 21, 2010, she denied that request.

4. The parties' expert disclosures are due on October 15, 2010.

5. A Final Status Conference with Magistrate Judge Dein is scheduled for November 15, 2010.

6. A trial date has not been scheduled.

For the United States of America

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Certificate of Service

I hereby certify that the foregoing documents filed through the ECF system will be sent electronically to counsel for each defendant who is a registered participant as identified on the Notice of Electronic Filing (NEF).

Date: 9/30/10

/s/Jeremy M. Sternberg  
Jeremy M. Sternberg  
Assistant U.S. Attorney